

## INDEX OF AUTHORS

	Page
LUISA ANTONIOLLI, FRANCESCA FIORENTINI, AND JAMES GORDLEY .....	A Case-Based Assessment of the Draft Common Frame of Reference 343
ALEXANDRA BRAUN .....	Burying the Living? The Citation of Legal Writings in English Courts 27
MARGIT COHN .....	Legal Transplant Chronicles: The Evolution of Unreasonableness and Proportionality Review of the Administration in the United Kingdom 583
TOM GINSBURG .....	Studying Japanese Law Because It's There 15
JOHN O. HALEY .....	Why Study Japanese Law? 1
JANET HALLEY AND KERRY RITTICH .....	Critical Directions in Comparative Family Law: Genealogies and Contemporary Studies of Family Law Exceptionalism 753
KATHRYN HENDLEY .....	Mobilizing Law in Contemporary Russia: The Evolution of Disputes over Home Repair Projects 631
ISABEL C. JARAMILLO .....	The Social Approach to Family Law: Conclusions from the Canonical Family Law Treatises of Latin America 843
TAKUYA KATSUTA .....	Japan's Rejection of the American Criminal Jury 497
DUNCAN KENNEDY .....	Savigny's Family/Patrimony Distinction and its Place in the Global Genealogy of Classical Legal Thought 811
AMALIA D. KESSLER .....	Marginalization and Myth: The Corporatist Roots of France's Forgotten Elective Judiciary 679
FIONA DE LONDRA AND SUZANNE KINGSTON .....	Rights, Security and Conflicting International Obligations: Exploring Inter-Jurisdictional Judicial Dialogues in Europe 359
OMRI Y. MARIAN .....	The Discursive Failure in Comparative Tax Law 415
MINORU NAKAZATO AND J. MARK RAMSEYER .....	Tax Law, Hiroshi Kaneko, and the Transformation of Japanese Jurisprudence 721
FERNANDA G. NICOLA .....	Family Law Exceptionalism in Comparative Law 777
LAMA ABU ODEH .....	Honor Killings and the Construction of Gender in Arab Societies 911

RICHARD FRIMPONG OPPONG . . . . .	Private International Law Scholarship in Africa (1884-2009)—A Selected Bibliography	319
LIAV ORGAD . . . . .	Illiberal Liberalism. Cultural Restrictions on Migration and Access to Citizenship in Europe	53
RYAN Y. PARK . . . . .	The Globalizing Jury Trial: Lessons and Insights from Korea	525
FRANÇOIS QUINTARD-MORENAS . . . . .	The Presumption of Innocence in the French and Anglo-American Legal Traditions	107
KERRY RITTICH . . . . .	Black Sites: Locating 'the Family and Family Law in Development	1023
LEILA NADYA SADAT . . . . .	The Nuremberg Paradox	151
HILA SHAMIR . . . . .	The State of Care: Rethinking the Distributive Effects of Familial Care Policies in Liberal Welfare States	953
SYMEON C. SYMEONIDES . . . . .	Choice of Law in the American Courts in 2009: Twenty-Third Annual Survey	227
SYMEON C. SYMEONIDES . . . . .	A Dedication to Professor P. John Kozyris	221
SYMEON C. SYMEONIDES . . . . .	Private International Law Bibliography 2008-09: U.S. and Foreign Sources in English	307
CHANTAL THOMAS . . . . .	Migrant Domestic Workers in Egypt: A Case Study of the Economic Family in Global Context	987
PHILOMILA TSOUKALA . . . . .	Marrying Family Law to the Nation	873

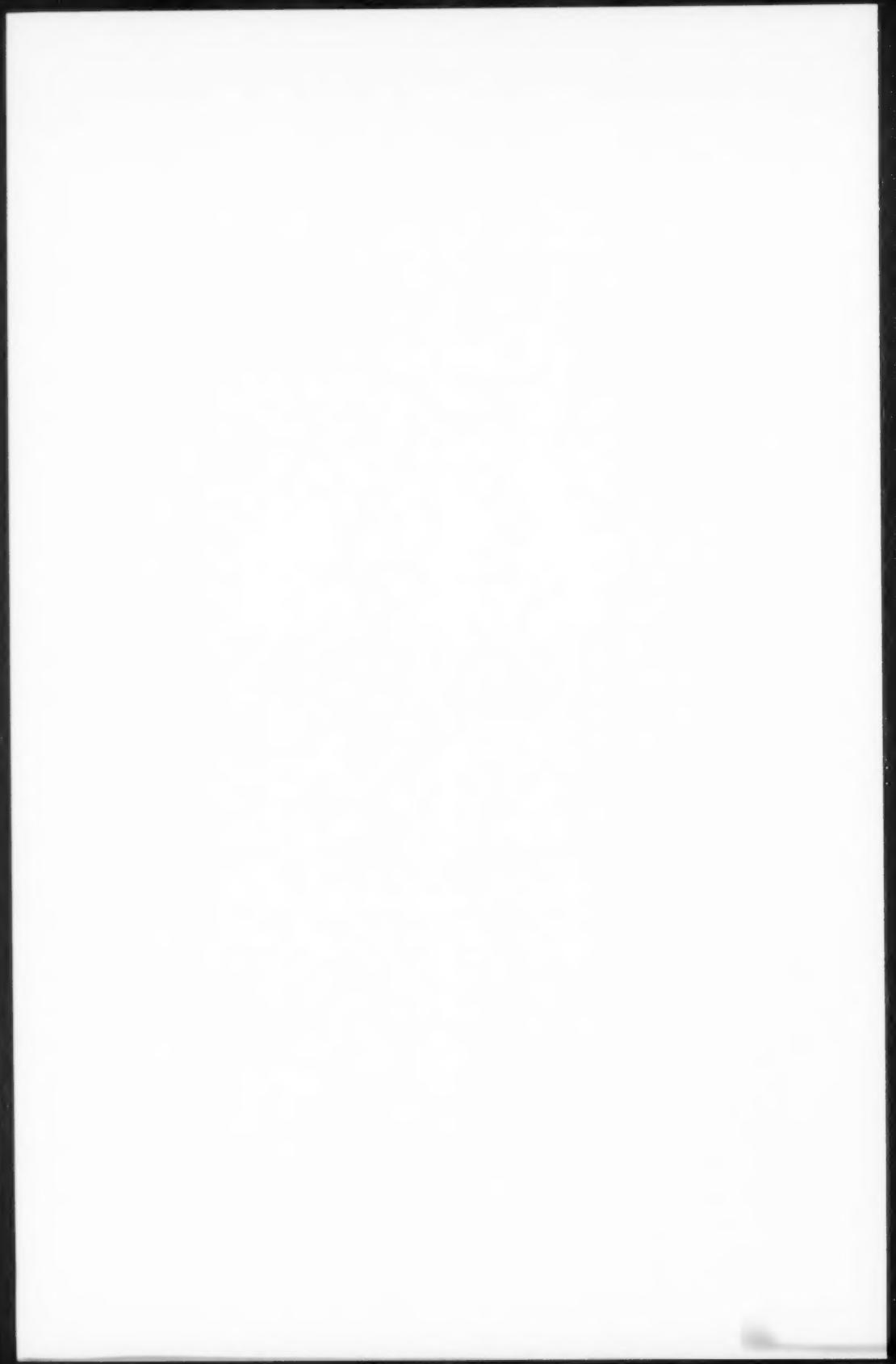
## INDEX OF TITLES

	Page
Black Sites: Locating the Family and Family Law in Development .....	Kerry Rittich 1023
Burying the Living? The Citation of Legal Writings in English Courts .....	Alexandra Braun 27
A Case-Based Assessment of the Draft Common Frame of Reference .....	Luisa Antoniolli, Francesca Fiorentini, and James Gordley 343
Choice of Law in the American Courts in 2009: Twenty-Third Annual Survey .....	Symeon C. Symeonides 227
Critical Directions in Comparative Family Law: Genealogies and Contemporary Studies of Family Law Exceptionalism .....	Janet Halley and Kerry Rittich 753
A Dedication to Professor P. John Koziris .....	Symeon C. Symeonides 221
The Discursive Failure in Comparative Tax Law .....	Omri Y. Marian 415
Family Law Exceptionalism in Comparative Law .....	Fernanda G. Nicola 777
The Globalizing Jury Trial: Lessons and Insights from Korea .....	Ryan Y. Park 525
Honor Killings and the Construction of Gender in Arab Societies .....	Lama Abu Odeh 911
Illiberal Liberalism. Cultural Restrictions on Migration and Access to Citizenship in Europe .....	Liav Orgad 53
Japan's Rejection of the American Criminal Jury .....	Takuya Katsuta 497
Legal Transplant Chronicles: The Evolution of Unreasonableness and Proportionality Review of the Administration in the United Kingdom .....	Margit Cohn 583
Marginalization and Myth: The Corporatist Roots of France's Forgotten Elective Judiciary .....	Amalia D. Kessler 679
Marrying Family Law to the Nation .....	Philomila Tsoukala 873
Migrant Domestic Workers in Egypt: A Case Study of the Economic Family in Global Context .....	Chantal Thomas 987
Mobilizing Law in Contemporary Russia: The Evolution of Disputes over Home Repair Projects .....	Kathryn Hendley 631
The Nuremberg Paradox .....	Leila Nadya Sadat 151
The Presumption of Innocence in the French and Anglo-American Legal Traditions .....	François Quintard-Moréna 107
Private International Law Bibliography 2008-09: U.S. and Foreign Sources in English .....	Symeon C. Symeonides 331
Private International Law Scholarship in Africa (1884-2009)—A Selected Bibliography .....	Richard Frimpong Oppong 319
Rights, Security and Conflicting International Obligations: Exploring Inter-Jurisdictional Judicial Dialogues in Europe .....	Fiona de Londras and Suzanne Kingston 359

Savigny's Family/Patrimony Distinction and its Place in the Global Genealogy of Classical Legal Thought .....	<i>Duncan Kennedy</i>	811
The Social Approach to Family Law: Conclusions from the Canonical Family Law Treatises of Latin America .....	<i>Isabel C. Jaramillo</i>	843
The State of Care: Rethinking the Distributive Effects of Familial Care Policies in Liberal Welfare States .....	<i>Hila Shamir</i>	953
Studying Japanese Law Because It's There .....	<i>Tom Ginsburg</i>	15
Tax Law, Hiroshi Kaneko, and the Transformation of Japanese Jurisprudence .....	<i>Minoru Nakazato and J. Mark Ramseyer</i>	721
Why Study Japanese Law? .....	<i>John O. Haley</i>	1

## INDEX OF BOOKS REVIEWED

	Page
RICHARD HYLAND, GIFTS: A STUDY IN COMPARATIVE LAW ( <i>Hans W. Baade</i> ) .....	471
JENS DROLSHAMMER, A TIMELY TURN TO THE LAWYER? GLOBALISIERUNG UND DIE ANGLO-AMERIKANISIERUNG VON RECHT UND RECHTSBERUFEN —ESSAYS ( <i>Reimer von Borries</i> ) .....	213
ANTONIO PADOA SCHIOPPA, STORIA DEL DIRITTO IN EUROPA DAL MEDIOEVO ALL'ETÀ CONTEMPORANEA ( <i>James A. Brundage</i> ) .....	474
JAMES GORDLEY, FOUNDATIONS OF PRIVATE LAW: PROPERTY, TORT, CONTRACT, UNJUST ENRICHMENT ( <i>Michele Graziadei</i> ) .....	477
JOHN H. LANGBEIN, RENÉE LETTOW LERNER, AND BRUCE P. SMITH (EDS.), HISTORY OF THE COMMON LAW: THE DEVELOPMENT OF ANGLO- AMERICAN LEGAL INSTITUTIONS ( <i>R.H. Helmholz</i> ) .....	486
NINA-LOUISA AROLD, THE LEGAL CULTURE OF THE EUROPEAN COURT OF HUMAN RIGHTS ( <i>Zdenek Kühn</i> ) .....	205
JOHANNA NIEMI, IAIN RAMSAY AND WILLIAM C. WHITFORD, EDS.: CONSUMER CREDIT, DEBT & BANKRUPTCY: COMPARATIVE AND INTERNATIONAL PERSPECTIVES ( <i>Lynn M. LoPucki</i> ) .....	489
M. BOBEK, P. MOLEK, V. ŠIMIČEK (EDS.), KOMUNISTICKÉ PRÁVO V ČESKOSLOVENSKU — KAPITOLY Z DĚJIN BEZPRÁVÍ [COMMUNIST LAW IN CZECHOSLOVAKIA—CHAPTERS FROM THE HISTORY OF LAWLESSNESS] ( <i>Eric Stein</i> ) .....	209
ALINE GRENON AND LOUISE BÉLANGER-HARDY, EDS., ELEMENTS OF QUEBEC CIVIL LAW: A COMPARISON WITH THE COMMON LAW CANADA/ÉLÉMENTS DE COMMON LAW CANADIENNE: COMPARAISON AVEC LE DROIT CIVIL QUÉBÉCOIS (THEORY, EXPLANATION, AND COMPARISON IN COMPARATIVE LAW)—ESSAY ( <i>Catherine Valcke</i> ) .....	737



**Index**  
**Volume 58: Supplement**  
**U.S. National Reports to the XXIst International**  
**Congress of Comparative Law**

	Page
Preface .....	John C. Reitz & Symeon C. Symeonides ..... iii
Impact of Legal Culture and Legal Transplants on the Evolution Of the U.S. Legal System .....	Louis F. del Duca & Alain A. Levasseur ..... 1
Religion and the Secular State .....	Catherine M.A. McCauliff... 31
Religion, Science, and the Secular State: Creationism in American Public Schools .....	Gene Shreve ..... 51
The Complexity of Sources of Trans-National Law: United States Report .....	William Ewald ..... 59
Catastrophic Harm in United States Law: Liability and Insurance .....	Olivier Moréteau ..... 69
The Law of Surrogate Motherhood in the United States .....	Carla Spivak ..... 97
Fragmentation and Consolidation in the Law of Marriage and Same-Sex Relationships .....	David D. Meyer ..... 115
Consumer Protection in Transnational Contexts .....	Jacques deLisle & Elizabeth Trujillo ..... 135
The Louisiana and Oregon Codifications of Choice-of-Law Rules in Context .....	James A.R. Nafziger ..... 165
Cost and Fee Allocation in Civil Procedure ..	James R. Maxeiner ..... 195
Climate Change and the Law .....	Margaret Rosso Grossman 223
An Overview of United States Corporate Governance in Publicly Traded Corporations ..	Arthur R. Pinto ..... 257
Corporate Governance Part II— Accountability Rules .....	Franklin A. Gevurtz ..... 285
The Regulation of Private Equity, Hedge Funds, and State Funds .....	Henry Ordower ..... 295
Financial Leasing of Equipment in the Law of the United States .....	Peter W. Schroth ..... 323
Insurance Law Between Business Law and Consumer Law .....	Jeffery E. Thomas ..... 353
The Balance of Copyright in the United States of America .....	Peter B. Maggs ..... 369

The American Experience with Age Discrimination Through the Lens of Nine Supreme Court Cases (2004-2009) .....	Steven G. Wood, Mary Anne Q. Wood, Stephen Q. Wood, & Rachel A. Asbury .....	377
Law Applicable on the Outer Continental Shelf and in the Exclusive Economic Zone ....	Rachael E. Salcido .....	407
The Protection of Foreign Investment in the United States of America .....	Fred L. Morrison .....	437
International Law in the Legal System of the United States .....	Paul R. Dubinsky .....	455
Constitutional Courts as "Positive Legislators" in the United States .....	Laurence P. Claus & Richard S. Kay .....	479
Plurality of Political Opinion and the Concentration of Media in the United States..	William B. Fisch .....	505
Universal Human Rights in the Law of the United States .....	M.N.S. Sellers .....	533
Public-Private Partnerships .....	Dominique Custos & John Reitz .....	555
The Regulation of Corporate Tax Shelters in the United States .....	Tracy A. Kaye .....	585
Corporal Criminal Liability in the United States: is a New Approach Warranted? .....	Ved P. Nanda .....	605
The Rise and Fall of the Constitutional Exclusionary Rule in the United States .....	Mark E. Cammack .....	631
Law and Cybercrime in the United States Today .....	Salil K. Mehra .....	659

